S.B.Cr.Misc. Bail App. No.4916/2007
(Hukam Singh Vs. State)

Date of order : 01.10.2007

HON'BLE MR.H.R.PANWAR, J.

Mr. Pradeep Shah for the petitioner.

Mr. Ashok Upadhyay, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the challan papers.

It is contended by learned counsel for the petitioner that injury by sword on the neck of deceased Arjun Kumar has been assigned to co-accused Karni Singh. So far as present petitioner is concerned, it is alleged that he caused injury on the leg of the deceased but from the post-mortem report, no such injury appears to have been caused to the deceased.

Learned Public Prosecutor has also accepted the contention of the learned counsel for the petitioner and submits that there is no injury on the leg of the deceased and the injury has been assigned to Karni Singh, who is alleged to have caused it by sword.

Without commenting on the merit of the case and considering the fact that no injury has been assigned to the present petitioner and having considered the oral arguments advanced by both

the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Hukam Singh s/o Bhanwar Singh Chouhan be released on bail in FIR No.171/2007 P.S. Surajpole, Udaipur provided he executes a personal bond for a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

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